

Remarks

Claims 22-45 are pending in the subject application. Applicants hereby reaffirm the election of ion exchange chromatography resin. Accordingly, claims 22-45 are currently before the Examiner and read on the elected invention. Favorable consideration of the pending claims is respectfully requested.

Applicants respectfully traverse the restriction requiring the election of a single species of chromatography resin. As the Examiner is aware, this application is a national stage application and is subject to the unity of invention rules for restriction. The principles of unity of invention are used to determine the types of claimed subject matter and the combinations of claims to different categories of invention that are permitted to be included in a single international or national stage patent application. The basic principle is that an application should relate to only one invention or, if there is more than one invention, that applicant would have a right to include in a single application only those inventions which are so linked as to form a single general inventive concept. Additionally, a group of inventions is considered linked to form a single general inventive concept where there is a technical relationship among the inventions that involves at least one common or corresponding special technical feature. The expression “special technical feature” is defined as meaning those technical features that define the contribution which each claimed invention, considered as a whole, makes over the prior art.

In this instance, Applicants respectfully traverse the restriction requirement and respectfully assert that the claims are all linked by a special technical feature that involves the use of hydrophobic charge induction chromatography in the process for the production of purified IL-18BP. The further chromatography steps recited in claims 24 and 25 are carried out in addition to the hydrophobic charge induction chromatography step. No process devoid of a hydrophobic charge induction chromatography step is claimed. Applicants also note that the restriction requirement set forth in the paper mailed August 14, 2007 fails to demonstrate that the claimed invention lacks a special technical feature and that it simply states that the inventions do not relate to a single general inventive concept because the “different chromatography resins do not share common structural and functional features”. Applicants respectfully submit that this is insufficient for a finding that the

presently claimed invention lacks unity. Accordingly reconsideration and withdrawal of the restriction requirement is respectfully requested.

Applicants believe that the pending claims are in condition for allowance and such action is respectfully requested.

Applicants invite the Examiner to call the undersigned if clarification is needed or if the Examiner believes a telephonic interview would expedite the prosecution of the subject application to completion.

The Commissioner is hereby authorized to charge any fees under 37 CFR §§1.16 or 1.17 as required by this paper to Deposit Account No. 19-0065.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Frank C. Eisenschenk". The signature is fluid and cursive, with the first name "Frank" being more legible than the last name "Eisenschenk".

Frank C. Eisenschenk, Ph.D.

Patent Attorney

Registration No. 45,332

Phone No.: 352-375-8100

Fax No.: 352-372-5800

Address: P.O. Box 142950

Gainesville, FL 32614-2950

FCE/sl